IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

WP(C).No. 31986 of 2007(G)

PETITIONER:

ABOOBACKER MANGATTUCHALI,
LECTURER IN ARABIC, M.A.M.O. COLLEGE,
MUKKOM, KOZHIKODE.

BY ADV. SRI.BABU VARGHESE
SRI.JOHNSON T. JOHN

RESPONDENTS:
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1. THE MANAGER, M.A.M.O. COLLEGE,
MUKKOM, KOZHIKODE.

2. THE UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR,
CALICUT UNIVERSITY P.O.

3. THE STATE OF KERALA, REPRESENTED BY
ITS PRINCIPAL SECRETARY, DEPARTMENT OF HIGHER
EDUCATION, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

4. THE DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, THIRUVANANTHAPURAM.

5. THE DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, NORTH ZONE, KOZHIKODE-673 001.

BY GOVERNMENT PLEADER SRI. A.J. VARGHESE.
SRI. P.C. SASIDHARAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)No.31986 OF 2007

Dated this the 30th day of November, 2007

JUDGMENT

The petitioner in this writ petition was appointed as a Lecturer in a promotion vacancy, which was approved by the University by Ext.P4 with effect from 10.6.2004. The complaint of the petitioner in this writ petition is that despite such approval of appointment, salary has not been disbursed in view of the 5th respondent taking a stand against such disbursal of salary.

2. I have heard the learned counsel for the petitioners and the learned Government pleader. A Division Bench of this Court in **Cheriyan Mathew** Vs. **Manager, S.B. College [1998 (2) KLT 144]** and **Shalini Rachel** Vs. **Manager, Christian College [2007 (3) KLT 355]** has held that once University grants approval, the Deputy Director has to disburse the salary. The Government pleader could not also bring to my attention any reason whatsoever for refusing payment of salary to the petitioner.

3. In the above circumstances, this writ petition is allowed and the 5th respondent is directed to take all steps to see that the petitioner is paid his salary with arrears within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is allowed as above.

S. SIRI JAGAN, JUDGE

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